

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Donald Lee Cummings

Case: 2:21-mj-30429

Assigned To : Unassigned

Assign. Date : 9/8/2021

Case No. Description: RE: DONALD LEE  
CUMMINGS (EOB)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 8, 2021 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 922(g)(3)

Unlawful User of a Controlled Substance in Possession of a Firearm

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.Sworn to before me and signed in my presence  
and/or by reliable electronic means.Date: September 8, 2021City and state: Detroit, Michigan*Complainant's signature*Special Agent Brett J. Brandon, A.T.F.*Printed name and title**Judge's signature*Hon. David R. Grand, U.S. Magistrate Judge*Printed name and title*

**AFFIDAVIT IN SUPPORT OF**  
**AN CRIMINAL COMPLAINT**

I, Brett J. Brandon, being first duly sworn, hereby state:

1. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, United States Department of Justice, assigned to the Detroit Field Division since July 2013. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment with ATF, I have conducted and/or participated in numerous criminal investigations involving the illegal possession, use, and sale of firearms, drug trafficking violations, and criminal street gangs.

2. I make this affidavit from personal knowledge based on my participation in this investigation, including interviews conducted by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

3. ATF is currently conducting a criminal investigation concerning DONALD LEE CUMMINGS (B/M; DOB: XX/XX/2003) for violations 18 U.S.C. § 922(g)(3) – Unlawful User of a Controlled Substance in Possession of a Firearm, among other state and federal criminal violations.

### **PROBABLE CAUSE**

4. In September 2020, I reviewed the Instagram Account associated with Instagram User ID “locogangdee,” including “stories” (short videos or images that can be posted to an Instagram user’s account and displayed publicly or to the user’s followers in a private account), and other images and videos posted by the user. I provided Intelligence Research Specialist Malone with a representative image of the individual held out as Instagram User ID “locogangdee.” Intelligence Research Specialist Malone submitted the image to the Michigan State Police for facial recognition which identified DONALD LEE CUMMINGS (XX/XX/2003) as a suspect meriting further investigation. I reviewed a Detroit Police Department booking photograph of CUMMINGS dated September 17, 2015 and compared the booking photograph to the images and videos posted to the account. Based on this comparison, I identified CUMMINGS as the individual depicted in and using the account with Instagram User ID “locogangdee.”

5. From September 2020 through June 2021, I observed CUMMINGS possess firearms and smoke suspected marijuana in videos and images posted by Instagram User ID “locogangdee”. I noted that CUMMINGS is not twenty-one years old until 2024 and is therefore ineligible to lawfully possess or consume marijuana pursuant to Michigan state laws.

6. On or about June 16, 2021, Instagram User ID “locogangdee” blocked me and another agents undercover Instagram accounts from viewing the publicly available account.

7. On August 10, 2021, I located a new Instagram account used by CUMMINGS. I reviewed the publicly available Instagram Account associated with Instagram User ID “\_locoworld”, including stories, and other images and videos posted by the user. I re-reviewed the Detroit Police Department booking photograph of CUMMINGS dated September 17, 2015 and identified CUMMINGS as the individual held out as Instagram User ID “\_locoworld’ in the images and videos.

8. In multiple posts on this account, I observed CUMMINGS in possession of Glock pistols, advertising the sale of what appeared to be marijuana and a codeine-based liquid, and holding himself as a user of Oxycodone.

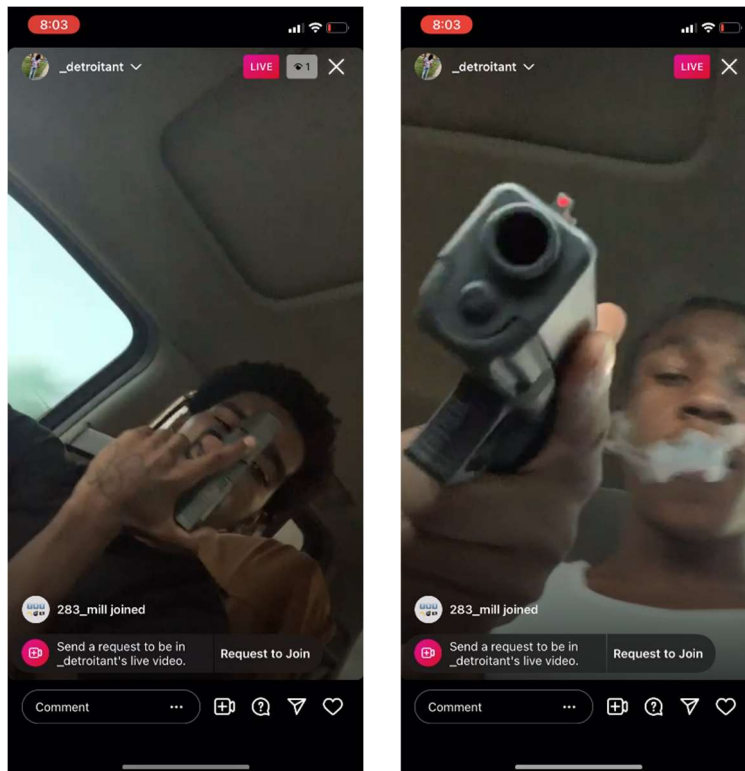
9. For example, on September 5, 2021 at approximately 5:00 pm, Instagram User ID “\_locoworld” posted a video to the user’s story depicting the user driving a vehicle with what appeared to be commercially packaged marijuana on the user’s lap, a baby bottle with a green liquid inside on the seat next to the user, and an upside Glock pistol with an extended magazine inserted into the firearm between the user’s legs (Glock logo visible on the floorplate of the magazine). The user added the text “Tap inn” to the video. In the video, the

Instagram user also had a light blue lighter attached to the drawstrings of the user's pants, which I immediately recognized as similar to the one worn by CUMMINGS in another video posted to the account on August 29, 2021. I am aware based on training and experience investigating the criminal possession and use of controlled substances, that individuals who sell codeine, a controlled substance, frequently use a bottle marked with measurements to dispense codeine to their customers. I have also previously observed Instagram User ID “\_locoworld” advertise the sale of a green substance in a baby bottle for “\$15 a line”. See below image for screen capture taken from the video.



10. Further, on September 5, 2021 at approximately 8:03 pm, Instagram User ID “\_detroitant” started an Instagram Live Video, which I immediately began

screen recording. In the video, that individual, who appears to be smoking marijuana, is seated in the front passenger seat of a vehicle driven by CUMMINGS. CUMMINGS brandishes a black Glock pistol with aftermarket orange/red and black front sights and an extended magazine inserted. See below screen captures taken from the video.



11. On September 8, 2021, the ATF Detroit Crime Gun Enforcement Team (CGET) served a sealed federal search warrant for 20224 Northlawn Street in Detroit, Michigan and the black Trail Blazer bearing Michigan license plate “EJFXXXX” with the assistance of the Detroit Police Department and Michigan State Police. During the search, agents encountered CUMMINGS exiting the area of the southwest bedroom holding his one-year-old daughter. During a search of

that bedroom, agents recovered a Glock 23 .40 caliber with red/orange front sights from behind the dresser/cabinet. The firearm was loaded with one round in the chamber and eighteen rounds in the extended magazine inserted in the firearm. The agents also recovered marijuana and a quantity of assorted .223 caliber ammunition from that bedroom.

12. Agents also searched the Trail Blazer and recovered a digital scale, numerous commercial packages for reselling marijuana, and a bottle of a green liquid substance consistent with the one in the image referenced above.

13. During a video-recorded post-*Miranda* interview, CUMMINGS admitted to owning the Glock 23 .40 caliber firearm recovered during the search warrant and stated he obtained it two to three days ago. CUMMINGS confirmed that the firearm recovered was the firearm depicted in the Instagram posts from September 5, 2021 and indicated that he carries it for protection. Further, CUMMINGS admitted to possessing a different gun, specifically a Glock 19 9mm pistol, that was also captured in an Instagram post on August 29, 2021.

14. During the interview, CUMMINGS stated he sells five to six bags of 3.5 grams of marijuana per day within the city of Detroit making approximately \$300.00 to \$400.00 per day. CUMMINGS further stated he has been selling marijuana since before he turned eighteen in May 2021. CUMMINGS denied selling codeine.

15. CUMMINGS also stated he smokes approximately twenty to thirty marijuana “blunts” every day and has smoked marijuana since he was fourteen years old. CUMMINGS also stated he takes one to two “Percs” (brand name for Oxycodone) every day for pain due to a prior motorbike accident. CUMMINGS advised he does not have a valid prescription for the Oxycodone.

16. On September 8, 2021, I contacted ATF Interstate Nexus Expert, Special Agent Michael Jacobs and provided a verbal description of the Glock 23 .40 caliber pistol recovered during the search warrant. Special Agent Jacobs advised the firearm is a firearm as defined under 18 U.S.C. § 921 and was manufactured outside of the state of Michigan after 1898, and therefore travel in and affect interstate commerce.

### **CONCLUSION**

17. Based upon the aforementioned facts stated herein, there is probable cause to believe DONALD LEE CUMMINGS, an unlawful user of controlled substances, namely marijuana and Oxycodone, did knowingly and intentionally possess a Glock 23 .40 caliber firearm , a firearm having affected interstate commerce, on or about September 8, 2021 in the City of Detroit, in the County of Wayne, in the Eastern Judicial District of Michigan, in violation of 18 U.S.C. § 922(g)(3) – Unlawful User of a Controlled Substance in Possession of a Firearm.



Respectfully submitted,



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Brett J. Brandon  
ATF Special Agent

Sworn to before me and signed in my presence  
and/or by reliable electronic means.



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Hon. David R. Grand  
United States Magistrate Judge

Dated: September 8, 2021